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C O N F I D E N T I A L JERUSALEM 004346

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NEA FOR FRONT OFFICE; NEA/IPA FOR
WILLIAMS/SHAMPAINE/STEINGER; NSC FOR ABRAMS/DORAN/WATERS;
TREASURY FOR NUGENT/HIRSON; BRUSSELS FOR LERNER; PLEASE
PASS TO USAID FOR KUNDER/MCCLOUD/BORODIN

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TAGS: [PREL](#) [PGOV](#) [PBTS](#) [PTER](#) [ETRD](#) [KWBG](#) [IS](#) [EG](#)
SUBJECT: EU-BAM CHAIRS SECOND COORDINATION AND EVALUATION
MEETING ON THE RAFAH CROSSING

Classified By: Consul General Jake Walles, Reasons 1.4 (b) and (d).

This cable was cleared by Embassy Tel Aviv and the U.S.
Security Coordinator.

11. (C) Summary: In a productive second meeting of the Coordination and Evaluation Committee on the Rafah crossing chaired by the European Union Border Assistance Mission (EU-BAM), Israeli and Palestinian delegations, with a USG delegation present as observers, reviewed the Rafah crossing operations. The Palestinian delegation pressed for the crossing to be opened for at least two days per week during the Ramadan and Eid periods, pressed for more trilateral coordination (Palestinian, Israeli, Egyptian), and stressed the need for progress on the full spectrum of Agreement on Movement and Access (AMA) issues. The Israeli delegation said that the GOI would not be in a position to normalize crossing operations or address wider AMA issues until the IDF soldier abducted on June 25 is released, but was willing to consider requests for specific openings. Both Ambassador Jones and the U.S. Security Coordinator pressed for a return to normal operations at the crossing. The Israeli delegation did commend the Palestinian side for the role the Presidential Guard had played to secure the site and to provide a secure cordon for the EU-BAM between the Rafah crossing and the Kerem Shalom crossing. Both sides acknowledged their concern with the movement of large volumes of money through the crossing and the digging of tunnels in the area of the crossing and sought Egyptian assistance. The EU intends to invite Egypt to the next meeting, scheduled for October 26. End summary.

12. (C) The head of mission for the European Union Border Assistance Mission (EU-BAM), LTG Pietro Pistolese chaired the second meeting of the Coordination and Evaluation Committee (CEC), September 26, in Jerusalem at the European Commission. (Note: Under the Agreement on the European Union Border Assistance Mission at the Rafah Crossing Point on the Gaza-Egyptian border, the EU-BAM chairs the meeting with Israeli and Palestinian delegations present. The USG was invited to observe this meeting. The first and only other meeting of the CEC took place February 16, 2006. End note.)

13. (SBU) Meeting participation:

European Union

LTG Pistolese, Head of Mission, EU-BAM

Franz Vogl, Deputy Head of Mission, EU-BAM
Patrick Delval, EU-BAM
Alberto Ucelay, Advisor to the European Union Special
Representative to the Middle East Peace Process
Mark Gallagher from the European Commission in Jerusalem
Matthias Peitz from the European Commission in Tel Aviv

Palestinian Authority

Sa'eb Erekat, Chief PLO Negotiator
Nazmi Muhanna, Head of the General Administration of
Crossings and Borders
Salim Abu Safieh, Head of Crossings Security
Zeinah Salahi, Negotiations Support Unit legal advisor
Nizar Farsakh, Negotiations Support Unit legal advisor

Israel

Israeli Defense Ministry Advisor General Baruch Spiegel
(ret.)
Alon Haggai, MOD Senior Policy Advisor
COL Nir Press, IDF
LTC David Benjamin, IDF
Peter Lerner, the liaison officer at the Joint Liaison Office
for Rafah

United States

Ambassador Jones, Embassy Tel Aviv
LTG Dayton, U.S. Security Coordinator
EconChief, ConGen Jerusalem
EconOff, Embassy Tel Aviv
Border Specialist, USSC
PolOff, Embassy Tel Aviv

Normalizing crossing operations

14. (C) After reviewing the February 16 meeting notes, General Pietro Pistolese raised the issue of normalizing operations at the Rafah crossing. He noted the Palestinian request to re-open the border October 4-6 and 20-22 to facilitate the return of Umra pilgrims. He also noted that the EU-BAM mission is due to end November 25 and said that European countries are discussing a six-month extension as foreseen in the EU-BAM agreement. Sa'eb Erekat, the head of the Palestinian delegation, stressed the importance of normalizing operations at the crossing. He went on to revise the Palestinian request and asked that the border be open for at least two days each week during Ramadan and the Eid period. Israeli head of delegation Baruch Spiegel asked that the request be submitted to the EU-BAM in writing. He said that the Israeli side was willing to consider special requests to re-open Rafah and, in principle, would accommodate them to the extent possible. However, he said that it would be "very, very difficult to have a calm and open atmosphere" that might lead to "normalization" until the abducted IDF soldier is released and security improves. He said that the Israeli Ministry of Defense was reviewing the future of Rafah and that when that review was complete, the Israeli side would be ready to meet. He did not have a timeline for that review. He said that Rafah had been open September 22-24 in response to humanitarian needs though there were security threats. (Note: Later September 26, LTG Pistolese sent a fax to Spiegel suggesting that the border be open during the following periods: October 4-5, 11-12, 18-19, and 25-26. End note.)

15. (C) Ambassador Jones said it was absolutely essential for the Rafah crossing to operate as regularly as possible. He noted that, before the closure, 1,000 people were traveling per day through the crossing on average, per the EU-BAM's statistics. During the few days when the crossing was opened after June 25, 3,000 people were traveling through the crossing per day on average. He commented that a slow and steady movement of people is more secure than the hectic and larger movements when the crossing was open irregularly. Ambassador Jones also noted that from a security point of

view, the Rafah crossing is really the strongest point on the Philadelphi corridor. If Rafah is kept open, then pressure to cross the Philadelphi corridor elsewhere illegally is reduced and authorities can better focus on illegitimate crossings. He emphasized the need for the signature of the Customs Annex, which could be used as a tool to fight questionable transfers of goods and cash at the crossing. Later in the meeting, LTG Dayton stressed that Rafah can work and if Rafah works then a lot else will work.

AMA issues raised, though not on agenda

16. (C) In his opening remarks, Erekat called for the signature of the Customs Annex to the Rafah Agreement, for the opening of Kerem Shalom for goods coming from Egypt, and for allowing Palestinian goods to be exported to Egypt through Rafah. He raised other Agreement on Movement and Access (AMA) issues, such as increasing export throughput out of Gaza to 400 trucks at the Karni/al-Mintar crossing, his support of the Karni Security Plan, his concerns about the increased closure and obstacles to movement in the West Bank, and his hope for convoys to facilitate movement between Gaza and the West Bank.

17. (C) Spiegel stressed the meeting's focus on Rafah and noted the need for an improvement in security. He highlighted that Gilad Shalit has not been freed and until this issue is solved, he said it would be difficult to have a "calm and open atmosphere." He also noted that two Qassem rockets had been fired earlier in the day into Sderot and two Israelis had been wounded; progress stopping the firing of rockets would help move other issues forward. He said he could not discuss that day the Customs Annex and Kerem Shalom since both issues are before the Prime Minister's Office and the Ministry of Defense for decisions. On Karni, he noted that there had been an improvement over the last few weeks with more than 230 trucks moving per day. He urged that the Palestinian side notify him of any containers stuck outside of or inside of Gaza and they would immediately deal with

them. He noted the USAID Mission Director's visit that day to the Israeli side of the Gaza crossings. He noted USAID efforts at the Jalameh, Tulkarm/Shal'ar Ephraim, and Tarqumiya crossings in the West Bank. Scanners were already in use at some of these crossings and infrastructure was being prepared at others. Though West Bank movement issues were not on the agenda, he said that the GOI was working with the USG and was re-analyzing the situation. On all AMA issues, he said that everything depends on security. If there are improvements on security, then progress can be made on the other issues.

Security threats at Rafah

18. (C) On security threats, General Pistolese said that the EU-BAM has never been threatened or attacked. He did raise the case of one passenger who had been denied travel through the passage who later returned with a family member and attacked the Palestinian security personnel, which led to the injury of three Presidential Guard members. Pistolese commented that while this man had been arrested, he had later been released. He also said that tunnels have been dug around the crossing point. He said that the Presidential Guard has provided good security but called for the re-deployments of security forces along the Philadelphi corridor.

19. (C) Spiegel noted that, on September 23, travelers had been stuck between the Palestinian and Egyptian sides of the border, and, as a result, the crossing had been forced to continue operations after dark. He said the Israeli side had called for a buffer zone around the crossing to prevent an outside security incident from impacting the crossing and was pleased that the Presidential Guard had thwarted the incident that Pistolese described. Spiegel said that the Egyptians had briefed the GOI twice on the existence of underground tunnels near the Rafah crossing though they could not be

directly linked to the crossing but were nevertheless of concern. He said the deployment of Palestinian forces along the Philadelphi corridor would be discussed by Israeli commanders; he hoped to have a response within a week.

¶10. (C) On the Presidential Guard (PG) specifically, Spiegel said he thought the PG were effective and professional and that the Israeli side had seen the PG taking positive security steps. He praised the PG for providing an external cordon to facilitate the EU-BAM's movement to and from the Kerem Shalom crossing during security alerts. Erekat responded that he was happy to hear the positive report from the Israeli side concerning the PG. He said it was no secret that the Palestinians were trying to rebuild their security forces in order to stop the lawlessness and chaos and welcomed any help from the GOI. He agreed that it would be helpful to deploy the PG in northern Gaza and at Karni. He noted that the Palestinians and Israelis are not the only players with an interest in what happens on the ground and said that he hoped others in the region would play a positive role. He reemphasized Ambassador Jones' point that normalizing Rafah operations will increase security. He agreed that the PG had done a good job creating a buffer zone and welcomed any other Israeli suggestions but stressed that the key was to normalize the situation as soon as possible.

Movement of cash and known
terrorists through the crossing

¶11. (C) Spiegel raised the USD 1 million that had been brought through the crossing during the September 22-24 opening by a Hamas Palestinian Legislative Council member and noted that while this might not be illegal, it was of concern because the money went directly to Hamas. He said the GOI was speaking to the Egyptians about the matter, as well as the Americans and Europeans. He said that the GOI needed the Palestinians to deal with it at a high level, too. Erekat later agreed with Spiegel's point and said that PA President Abbas had raised the matter with Egyptian President Mubarak, who reportedly had promised that funds would only be allowed to move through the banking system. Erekat said that there were no Palestinian laws banning entry of large amounts of money if declared at crossing points and that there was little chance of passing new legislation, so the GOE's help on enforcing the movement of money via the banking system is

vital. Spiegel also raised the movement through the Rafah Crossing Point of an Islamic Jihad leader over the week-end. He stressed that one of the biggest concerns for the GOI was the movement of people out of Gaza into Egypt through the Sinai and then back over into Israel.

Calls for closer coordination
with Egyptians

¶12. (C) Spiegel said that the GOI continues to have a channel with the GOE and that it was important to coordinate with them. He asked the Palestinians to consider establishing a hotline with the GOE concerning security concerns in the border area and noted that while there was cooperation, there needed to be more since "soft points" existed. For example, he said, travelers should never be stuck between the two border crossings after sunset. On a recent Egyptian donation of equipment to the Palestinian side of the crossing, Spiegel said that the GOI has approved the majority of the equipment, except for three scanners which were still awaiting approval. Pistolese specifically asked the GOI to coordinate with his team the movement to the Rafah crossing of the cleared, donated Egyptian equipment. Spiegel agreed that this would be done through Kerem Shalom.

¶13. (C) Erekat also called for more trilateral cooperation between the GOE, GOI, and PA, especially on tunnels. He requested the resumption of the trilateral committee meetings agreed to in section II(B)3 of the Wye River memorandum. Spiegel countered with the suggestion that the security

working group called for in the Agreed Principles for Rafah Crossing convene for the first time. At the end of the meeting, Erekat also raised inviting the GOE to the next meeting of the CEC. (Note: LTG Pistolese subsequently asked Ambassador Jones for U.S. views on inviting the Egyptians to the group's next meeting and sent a fax to Spiegel formally seeking GOI approval of Egyptian participation in the next CEC meeting, tentatively scheduled for October 26. End note.)

Data exchange issues

¶14. (C) Spiegel raised the issue of the registration information computer discs that General Mishlev had passed to former PA Minister Dahlan when the crossing first re-opened. Spiegel stressed the need to use both the Israeli and the Palestinian lists. He asked the Palestinian side to look into this matter. Erekat said the Palestinians would study the matter and then respond.

¶15. (C) On a separate matter, following the meeting, Erekat sent a September 28 fax to Spiegel in which he cites provisions in the Agreed Principles for the Rafah Crossing and the Security Protocol that require Israel to provide the Palestinians with the relevant information pertaining to all Palestinian ID holders, including those outside the country. Once the information is provided, Erekat wrote, the Palestinians would update the Palestinian registry accordingly. That Palestinian registry is being used to monitor passengers at the Rafah crossing, in accordance with the agreement, he wrote. He concluded by stating that the GOI has yet to provide the Palestinians complete information on the population registry, and he said he looked forward to receiving it.

Joint Liaison Office

¶16. (C) General Spiegel said that the Israeli side was pleased with the operations of the joint liaison office and commented that the atmosphere and feedback on the Israeli side were positive. General Pistolese requested assistance in repairing the fiber optic cable to the liaison office that had been cut during Israeli military operations. The liaison office is currently receiving information via the back-up microwave transmission.

WALLES